



State Water Resources Control Board

Division of Drinking Water

September 18, 2018

Danny Doustan, Owner Lucky 18 on Rosamond, LLC 295 Madison Avenue #977 New York, NY 10017

RE: Total Coliform MCL Failure for June 2018 - Lucky 18 on Rosamond, LLC Water System - Water System No. 1500571 - Citation No. 03 19 18C 032

Dear Mr. Doustan,

The State Water Resources Control Board (hereinafter State Water Board), Division of Drinking Water has issued Citation No. 03_19_18C_032, for failure to comply with the provisions of the California Health & Safety Code and Title 22, California Code of Regulations. Specifically, the Lucky 18 on Rosamond, LLC Water System (hereinafter "Water System") failed the total coliform maximum contaminant level (MCL) for June 2018.

The California Safe Drinking Water Act, Section 116577, provides for the State Water Board to be reimbursed by the public water system for costs incurred for preparing and issuing an enforcement action to that system. Therefore, the Water System has been billed for the preparation and issuance of this citation. The State Water Board's current billing rate for enforcement activities is \$167 per hour. The hourly rate is subject to review and change upon approval. You will receive a bill for these costs following the end of the State's fiscal year, from our Fee Billing Unit in Sacramento.

Any person who is aggrieved by a citation, order or decision issued by the Deputy Director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code, Section 116625) or Article 9 (commencing with Health and Safety Code, Section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Water Board for reconsideration of the citation, order or decision. **Appendix 1** to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (Health and Safety Code, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking water/programs/petitions/index.shtml

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Luck 18 on Rosamond, LLC Water System - Total Coliform MCL Violations for June 2018 Page 2 September 18, 2018

If you have any questions regarding this matter, please contact our office at (661) 335-7315.

Sincerely,

Jaswinder S. Dhaliwal, P.E. Senior Sanitary Engineer

DRINKING WATER FIELD OPERATIONS BRANCH

Enclosure:

Citation No. 03_19_18C_032

Certified Mail No. 7012 1010 0001 3880 1942

Cc: Kern County Dept. of Public Health, Environmental Health Division
Albert Talassazan, Lucky 18 on Rosamond, LLC (via email)
skOO'kum h20 monitoring, inc., Contract Sampler & Dist. Operator (via email)

1	Citation No. 03_19_18C_032
2	
3	STATE OF CALIFORNIA
4	STATE WATER RESOURCES CONTROL BOARD
5	DIVISION OF DRINKING WATER
6	
7	Name of Public Water System: Lucky 18 on Rosamond, LLC Water
8	System
9	Water System No: 1500571
10 11 12 13 14 15	Attention: Danny Doustan, Owner Lucky 18 on Rosamond, LLC 295 Madison Avenue #977 New York, NY 10017
16 17	Issued: September 18, 2018
18	CITATION FOR NONCOMPLIANCE
19	TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION
20	CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1
21	JUNE 2018
22	
23	The California Health and Safety Code (hereinafter "CHSC"), Section 116650
24	authorizes the State Water Resources Control Board (hereinafter "State
25	Water Board") to issue a citation to a public water system when the State
26	Water Board determines that the public water system has violated or is
27	violating the California Safe Drinking Water Act (hereinafter "California
28	SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section
29	116270), or any regulation, standard, permit, or order issued or adopted
30	thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division, hereby issues this citation pursuant to Section 116650 of the CHSC to the Lucky 18 on Rosamond, LLC Water System (hereinafter "Water System") for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64426.1.

A copy of the applicable statutes and regulations are included in **Appendix 1**, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

The Water System is classified as a community water system with a population of 73 serving 60 connections. The State Water Board received laboratory result for one (1) routine bacteriological sample, collected on June 6, 2018, from the distribution system, which tested positive for total coliform bacteria. Four (4) repeat bacteriological samples were collected on June 11, 2018, from the distribution system, along with one (1) sample from the storage tank. Two (2) of these samples tested positive for total coliform bacteria. One (1) additional repeat bacteriological sample (also counted toward the Ground Water Rule's triggered source sampling requirement), collected on June 11, 2018, from Well 02 tested negative for total coliform bacteria. None of the total coliform positive samples from June 2018, showed the presence of fecal coliform OR *Escherichia coli (E. coli)* bacteria.

On July 3, 2018, the State Water Board Water System emailed template(s) for the Tier 2 public notification and proof of public notification documents to the Water System, for the total coliform maximum contaminant level (MCL) violation in June 2018. The Water System submitted copies of the Tier 2

public notification and proof of public notification documents, to the State Water Board, on July 20, 2018, for the total coliform MCL violation in June 2018.

Due to the second total coliform treatment technique trigger within 12 months, the Water System was required to have a Level 2 Assessment completed to comply with the federal revised total coliform rule. On June 27, 2018, Elia Estasy, Associate Sanitary Engineer with the Division, conducted a site inspection to help complete the Level 2 Assessment. The findings of the Level 2 Assessment and sanitary survey were sent to the Water System, by a letter dated July 6, 2018 (copy provided in Appendix 2). According to the Level 2 Assessment, prior to collecting the routine bacteriological sample for June 2018, the Water System had repaired a broken water main, without the supervision of a certified operator from skOO'kum h2o monitoring, inc., the Water System's certified distribution operator.

On June 14, 2018, the Water System provided emergency chlorination treatment and flushing, under the supervision of a certified operator from skOO'kum h2o monitoring, inc. Afterwards, eight (8) special samples were collected on June 18, 2018, from Well 02, storage tank and distribution system, and all eight (8) samples tested negative for total coliform bacteria. Monthly routine samples collected during the months of July and August 2018, have also tested negative for total coliform bacteria.

DETERMINATION

CCR, Title 22, Section 64426.1, Total Coliform MCL states that a public water system collects fewer than 40 bacteriological samples per month is in violation

of the total coliform MCL if more than one sample collected during any month is total coliform-positive.

The Water System took fewer than 40 bacteriological samples during June 2018. During June 2018, one (1) routine sample and two (2) repeat samples tested positive for total coliform bacteria. Therefore, the State Water Board has determined that the Water System violated CCR, Title 22, Section 64426.1 during June 2018.

DIRECTIVES

The Water System is hereby directed to take the following actions:

- Comply with CCR, Title 22, Section 64426.1, in all future monitoring periods.
- 2. In the future, the Water System shall notify the State Water Board and its certified distribution operator when experiencing problems, including but limited to, well pump failure, low pressure in the distribution system, low water level in the tank, booster pump failure, broken or leaking water main. When repairs are made, the Water System shall properly disinfect the impacted component(s) of the domestic supply system under the supervision of a certified operator and in accordance with the applicable American Water Works Association (AWWA) standard(s).
- 3. On or before September 28, 2018, complete and return to the State Water Board the "Notification of Receipt" form attached to this Citation as Appendix 3. Completion of this form confirms that the Water System has received this Citation and understands that it contains legally enforceable directives with due dates.

Citation No. 03_19_18C_032

1	All submittals required by this Citation shall be electronically submitted to the
2	Division at the following address: dwpdist19@waterboards.ca.gov and the
3	subject line for all electronic submittals corresponding to this citation shall
4	include the following information: Water System name and number, citation
5	number and title of the document being submitted. Submittals may also be
6	sent to the following mailing address:
7 8 9 10	Jaswinder S. Dhaliwal, P.E. Senior Sanitary Engineer dwpdist19@waterboards.ca.gov
12	The State Water Board reserves the right to make modifications to this
13	Citation as it may deem necessary to protect public health and safety. Such
14	modifications may be issued as amendments to this Citation and shall be
15	effective upon issuance.
16	
17	Nothing in this Citation relieves the Water System of its obligation to meet the
18	requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter
19	4, commencing with Section 116270), or any regulation, standard, permit or
20	order issued or adopted thereunder.
21	
22	PARTIES BOUND
23	This Citation shall apply to and be binding upon the Water System, its owners,
24	shareholders, officers, directors, agents, employees, contractors, successors,
25	and assignees.
26 27	

SEVERABILITY

The directives of this Citation are severable, and the Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

Jaswinder S. Dhaliwal, P.E.

Senior Sanitary Engineer

DRINKING WATER FIELD OPERATIONS BRANCH

Sep. 18, 2016

			Citation No. 03_19_18C_032
1	Appen	dices	(3):
2		1.	Applicable Statutes and Regulations
3		2.	Level 2 Assessment - Issued June 27, 2018
4		3.	Notification of Receipt Form
5			
6	Certifi	ed Ma	nil No. 7012 1010 0001 3880 1942
7 8 9 10		Shon S	County Dept. of Public Health, Env. Health Division (w/o appendices) Sackett, skOO'kum h20 monitoring, inc. (via email) Talassazan, Lucky 18 on Rosamond, LLC (via email)
12	JSD/lo		
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14			

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR CITATION NO. 03_19_18C_032

NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.

California Health and Safety Code (CHSC):

Section 116271 states in relevant part:

- (a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:
 - (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
 - (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
 - (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
 - (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
 - (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
 - (6) Chapter 7 (commencing with Section 116975).
 - (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
 - (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
 - (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
 - (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
 - (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
 - (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).
- (b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...
- (k) (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
 - (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116650), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.

Section 116555 states in relevant part:

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
 - (1) Complies with primary and secondary drinking water standards.
 - (2) Will not be subject to backflow under normal operating conditions.
 - (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116650 states in relevant part:

(a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system. The citation shall be served upon

the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

California Code of Regulations, Title 22 (CCR):

Section 64421 (General Requirements) states:

(a) Each water supplier shall:

(1) Develop a routine sample siting plan as required in section 64422;

(2) Collect routine, repeat and replacement samples as required in Sections 64423, 64424, and 64425;

- (3) Have all samples analyzed by laboratories approved to perform those analyses by the State Board and report results as required in section 64423.1;
- (4) Notify the State Board when there is an increase in coliform bacteria in bacteriological samples as required in section 64426; and
- (5) Comply with the Maximum Contaminant Level as required in section 64426.1.
- (b) Water suppliers shall perform additional bacteriological monitoring as follows:
 - (1) After construction or repair of wells:
 - (2) After main installation or repair;

(3) After construction, repair, or maintenance of storage facilities; and

(4) After any system pressure loss to less than five psi. Samples collected shall represent the water quality in the affected portions of the system.

Section 64422 (Routine Sample Siting Plan) states:

(a) By September 1, 1992, each water supplier shall develop and submit to the State Board a siting plan for the routine collection of samples for total coliform analysis, subject to the following:

(1) The sample sites chosen shall be representative of water throughout the distribution system including all pressure zones, and areas supplied by each water source and distribution reservoir.

(2) The water supplier may rotate sampling among the sample sites if the total number of sites needed to comply with (a)(1) above exceeds the number of samples required according to Table 64423-A. The rotation plan shall be described in the sample siting plan.

(b) If personnel other than certified operators will be performing field tests and/or collecting samples, the sample siting plan shall include a declaration that such personnel have been trained, pursuant to §64415 (b).

(c) The supplier shall submit an updated plan to the State Board at least once every ten years and at any time the plan no longer ensures representative monitoring of the system.

Section 64423 (Routine Sampling) states:

(a) Each water supplier shall collect routine bacteriological water samples as follows:

(1) The minimum number of samples for community water systems shall be based on the known population served or the total number of service connections, whichever results in the greater number of samples, as shown in Table 64423-A. A community water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency. The minimum reduced frequency shall not be less than one sample per quarter.

(2) The minimum number of samples for nontransient-noncommunity water systems shall be based on the known population served as shown in Table 64423-A during those months when the system is operating. A nontransient-noncommunity water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency if it has not violated the requirements in this article during the past twelve months. The minimum reduced frequency shall not be less than one sample per quarter.

(3) The minimum number of samples for transient-noncommunity water systems using groundwater and serving 1000 or fewer persons a month shall be one in each calendar quarter during which the system provides water to the public.

(4) The minimum number of samples for transient-noncommunity water systems using groundwater and serving more than 1000 persons during any month shall be based on the known population served as shown in Table 64423-A, except that the water supplier may request from the State Board a reduction in monitoring for any month the system serves 1000 persons or fewer. The minimum reduced frequency shall not be less than one sample in each calendar quarter during which the system provides water to the public.

(5) The minimum number of samples for transient-noncommunity water systems using approved surface water shall be based on the population served as shown in Table 64423-A. A system using groundwater under the direct influence of surface water shall begin monitoring at this frequency by the end of the sixth month after the State Board has designated the source to be approved surface water.

- (6) A public water system shall collect samples at regular time intervals throughout the month, except that a system using groundwater which serves 4,900 persons or fewer may collect all required samples on a single day if they are taken from different sites.
- (b) In addition to the minimum sampling requirements, all water suppliers using approved surface water which do not practice treatment in compliance with Sections 64650 through 64666, shall collect a minimum of one sample before or at the first service connection each day during which the turbidity level of the water delivered to the system exceeds 1 NTU. The sample shall be collected within 24 hours of the exceedance and shall be analyzed for total coliforms. If the water supplier is unable to collect and/or analyze the sample within the 24-hour time period because of extenuating circumstances beyond its control, the supplier shall notify the State Board within the 24-hour time period and may request an extension. Sample results shall be included in determining compliance with the MCL for total coliforms in Section 64426.1.
- (c) If any routine, repeat, or replacement sample is total coliform-positive, then the water supplier shall collect repeat samples in accordance with Section 64424 and comply with the reporting requirements specified in Sections 64426 and 64426.1.

Table 64423-A

Service Connections	Minimum Niconal an ad Capacit
	Minimum Number of Samples
15 to 400	1 per month
	2 per month
	3 per month
1,181 to 1,460	4 per month
1,461 to 1,750	5 per month
1,751 to 2,100	6 per month
2,101 to 2,400	7 per month
2,401 to 2,700	2 per week
2,701 to 4,600	3 per week
4,601 to 6,100	4 per week
6,101 to 7,700	5 per week
7,701 to 8,900	6 per week
8,901 to 11,800	8 per week
11,801 to 14,600	10 per week
14,601 to 17,900	12 per week
17,901 to 21,100	15 per week
21,101 to 25,000	18 per week
25,001 to 29,600	20 per week
29,601 to 34,300	23 per week
34,301 to 46,400	25 per week
46,401 to 78,600	30 per week
78,601 to 114,300	38 per week
114,301 to 160,700	50 per week
160,701 to 214,300	55 per week
214,301 to 278,600	60 per week
278,601 to 346,400	70 per week
346,401 to 439,300	75 per week
439,301 to 542,900	85 per week
542,901 to 660,700	90 per week
660,701 to 810,700	98 per week
810,701 to 1,078,600	105 per week
1,078,601 to 1,414,300	110 per week
1,414,301 or more	120 per week
	401 to 890 891 to 1,180 1,181 to 1,460 1,461 to 1,750 1,751 to 2,100 2,101 to 2,400 2,401 to 2,700 2,701 to 4,600 4,601 to 6,100 6,101 to 7,700 7,701 to 8,900 8,901 to 11,800 11,801 to 14,600 14,601 to 17,900 17,901 to 21,100 21,101 to 25,000 25,001 to 29,600 29,601 to 34,300 34,301 to 46,400 46,401 to 78,600 78,601 to 114,300 114,301 to 160,700 160,701 to 214,300 214,301 to 278,600 278,601 to 346,400 346,401 to 439,300 439,301 to 542,900 542,901 to 660,700 660,701 to 810,700 810,701 to 1,078,600 1,078,601 to 1,414,300

Section 64423.1 (Sample Analysis and Reporting of Results) states:

- (a) The water supplier shall designate (label) each sample as routine, repeat, replacement, or "other" pursuant to Section 64421(b), and have each sample analyzed for total coliforms. The supplier also shall require the laboratory to analyze the same sample for fecal coliforms or Escherichia coli (E. coli) whenever the presence of total coliforms is indicated. As a minimum, the analytical results shall be reported in terms of the presence or absence of total or fecal coliforms, or E. coli in the sample, whichever is appropriate.
- (b) The water supplier shall require the laboratory to notify the supplier within 24 hours, whenever the presence of total coliforms, fecal coliforms or E. coli is demonstrated in a sample or a sample is invalidated due to interference problems, pursuant to Section 64425(b), and shall ensure that a contact person is available to receive these analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the State Board of any positive bacteriological results if the laboratory cannot make direct contact with the designated contact person within 24 hours.
- (c) Analytical results of all required samples collected for a system in a calendar month shall be reported to the State Board not later than the tenth day of the following month, as follows:
 - (1) The water supplier shall submit a monthly summary of the bacteriological monitoring results to the State Board.

- (2) For systems serving fewer than 10,000 service connections or 33,000 persons, the water supplier shall require the laboratory to submit copies of all required bacteriological monitoring results directly to the State Board.
- (3) For systems serving more than 10,000 service connections, or 33,000 persons, the water supplier shall require the laboratory to submit copies of bacteriological monitoring results for all positive routine samples and all repeat samples directly to the State Board.
- (d) Laboratory reports shall be retained by the water supplier for a period of at least five years and shall be made available to the State Board upon request.

Section 64424 (Repeat Sampling) states in relevant part:

- (a) If a routine sample is total coliform-positive, the water supplier shall collect a repeat sample set as described in paragraph (1) within 24 hours of being notified of the positive result. The repeat samples shall all be collected within the same 24 hour time period. A single service connection system may request that the State Board allow the collection of the repeat sample set over a four-day period.
 - (1) For a water supplier that normally collects more than one routine sample a month, a repeat sample set shall be at least three samples for each total coliform-positive sample. For a water supplier that normally collects one or fewer samples per month, a repeat sample set shall be at least four samples for each total coliform-positive sample.
 - (2) If the water supplier is unable to collect the samples within the 24-hour time period specified in subsection (a) or deliver the samples to the laboratory within 24 hours after collection because of circumstances beyond its control, the water supplier shall notify the State Board within 24 hours. The State Board will then determine how much time the supplier will have to collect the repeat samples.
- (b) When collecting the repeat sample set, the water supplier shall collect at least one repeat sample from the sampling tap where the original total coliform-positive sample was taken. Other repeat samples shall be collected within five service connections upstream or downstream of the original site. At least one sample shall be from upstream and one from downstream unless there is no upstream and/or downstream service connection.
- (c) If one or more samples in the repeat sample set is total coliform-positive, the water supplier shall collect and have analyzed an additional set of repeat samples as specified in subsections (a) and (b). The supplier shall repeat this process until either no coliforms are detected in one complete repeat sample set or the supplier determines that the MCL for total coliforms specified in Section 64426.1 has been exceeded and notifies the State Board.
- (d) If a public water system for which fewer than five routine samples/month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month. If the supplier stops supplying water during the month after the total coliform-positive(s), at least five samples shall be collected during the first month the system resumes operation. A water supplier may request the State Board waive the requirement to collect at least five routine samples the following month, but a waiver will not be granted solely on the basis that all repeat samples are total coliform-negative. To request a waiver, one of the following conditions shall be met:
 - (1) The State Board conducts a site visit before the end of the next month the system provides water to the public to determine whether additional monitoring and/or corrective action is necessary to protect public health.
 - (2) The State Board determines why the sample was total coliform-positive and establishes that the system has corrected the problem or will correct the problem before the end of the next month the system serves water to the public. If a waiver is granted, a system shall collect at least one routine sample before the end of the next month it serves water to the public and use it to determine compliance with Section 64426.1.

Section 64425 (Sample Invalidation) states:

- (a) A water supplier may request the Department to invalidate a sample for which a total coliform-positive result has been reported if the supplier demonstrates:
 - (1) All repeat sample(s) collected at the same tap as the original total coliform-positive sample also are total coliform-positive and all repeat samples collected within five service connections of the original tap are not total coliform-positive; or
 - (2) The laboratory did not follow the prescribed analytical methods pursuant to §64415(a), based on a review of laboratory documentation by the Department. The supplier shall submit to the Department a written request for invalidation along with the laboratory documentation, the supplier's sample collection records and any observations noted during sample collection and delivery. The water supplier shall require the laboratory to provide the supplier with documentation which shall include, but not be limited to:
 - (A) A letter from the director of the laboratory having generated the data, confirming the invalidation request by reason of laboratory accident or error:
 - (B) Complete sample identification, laboratory sample log number (if used), date and time of collection, date and time of receipt by the laboratory, date and time of analysis for the sample(s) in question;
 - (C) Complete description of the accident or error alleged to have invalidated the result(s);
 - (D) Copies of all analytical, operating, and quality assurance records pertaining to the incident in question; and
 - (E) Any observations noted by laboratory personnel when receiving and analyzing the sample(s) in question.
- (b) Whenever any total coliform sample result indicative of the absence of total coliforms has been declared invalid by the laboratory due to interference problems as specified at 40 Code Federal Regulations, Section 141.2100(c)(2), the supplier shall collect a replacement sample from the same location as the original sample within 24 hours of being notified of the interference problem, and have it analyzed for the presence of total coliforms. The supplier shall continue to re-sample at the original site within 24 hours and have the samples analyzed until a valid result is obtained.

Section 64426 (Significant Rise in Bacterial Count) states in relevant part:

- (a) Any of the following criteria shall indicate a possible significant rise in bacterial count:
 - (1) A system collecting at least 40 samples per month has a total coliform-positive routine sample followed by two total coliform-positive repeat samples in the repeat sample set;
 - (2) A system has a sample which is positive for fecal coliform or E. coli; or
 - (3) A system fails the total coliform Maximum Contaminant Level (MCL) as defined in Section 64426.1.
- (b) When the coliform levels specified in subsection (a) are reached or exceeded, the water supplier shall:
 - (1) Contact the State Board by the end of the day on which the system is notified of the test result or the system determines that it has exceeded the MCL, unless the notification or determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours; and
 - (2) Submit to the State Board information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:
 - (A) Current operating procedures that are or could potentially be related to the increase in bacterial count;
 - (B) Any interruptions in the treatment process;
 - (C) System pressure loss to less than 5 psi;
 - (D) Vandalism and/or unauthorized access to facilities;
 - (E) Physical evidence indicating bacteriological contamination of facilities;
 - (F) Analytical results of any additional samples collected, including source samples;
 - (G) Community illness suspected of being waterborne; and
 - (H) Records of the investigation and any action taken.

Section 64426.1 (Total Coliform Maximum Contaminant Level (MCL)) states in relevant part: §64426.1. Total Coliform Maximum Contaminant Level (MCL).

- (a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the State Board or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in section 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.
- (b) A public water system is in violation of the total coliform MCL when any of the following occurs:
- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total colliform-positive; or
- (2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
- (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
- (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.
- (c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the State Board by the end of the business day on which this is determined, unless the determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraph (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraph (b)(3) or (4), pursuant to section 64463.1.

Section 64463.1 (Tier 1 Public Notice) states in relevant part:

- (a) A water system shall give public notice pursuant to this section and section 64465 if any of the following occurs:
 - (1) Violation of the total coliform MCL when:
 - (A) Fecal coliform or E. coli are present in the distribution system; or
 - (B) When any repeat sample tests positive for coliform and the water system fails to test for fecal coliforms or E. coli in the repeat sample;...
- (b) As soon as possible within 24 hours after learning of any of the violations in subsection (a) or being notified by the State Board that it has determined there is a potential for adverse effects on human health [pursuant to paragraph (a)(4), (5), or (6)], the water system shall:
 - (1) Give public notice pursuant to this section;
 - (2) Initiate consultation with the State Board within the same timeframe; and
 - (3) Comply with any additional public notice requirements that are determined by the consultation to be necessary to protect public health.
- (c) A water system shall deliver the public notice in a manner designed to reach residential, transient, and nontransient users of the water system and shall use, as a minimum, one of the following forms:
 - (1) Radio or television;
 - (2) Posting in conspicuous locations throughout the area served by the water system;
 - (3) Hand delivery to persons served by the water system; or
 - (4) Other method approved by the State Board, based on the method's ability to inform water system users.

Section 64463.4 (Tier 2 Public Notice) states:

- (a) A water system shall give public notice pursuant to this section if any of the following occurs:
 - (1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
 - (A) Where a Tier 1 public notice is required under section 64463.1; or
 - (B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
 - (2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards Bacteriological Quality), for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;
 - (3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or
 - (4) Failure to comply with the terms and conditions of any variance or exemption in place.
- (b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Board's written approval based on the violation or occurrence having been resolved and the State Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:
 - (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
 - (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and
 - (3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.
- (c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:
 - (1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by;
 - (A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and
 - (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):
 - 1. Publication in a local newspaper;
 - 2. Posting in conspicuous public places served by the water system, or on the Internet; or
 - 3. Delivery to community organizations.
 - (2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:
 - (A) Posting in conspicuous locations throughout the area served by the water system; and
 - (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:
 - 1. Publication in a local newspaper or newsletter distributed to customers;
 - 2. E-mail message to employees or students;
 - 3. Posting on the Internet or intranet; or
 - 4. Direct delivery to each customer.

Section 64465 (Public Notice Content and Format) states in relevant part:

- (a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:
 - (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s):
 - (2) The date(s) of the violation or occurrence;
 - (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
 - (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
 - (5) Whether alternative water supplies should be used;
 - (6) What actions consumers should take, including when they should seek medical help, if known;
 - (7) What the water system is doing to correct the violation or occurrence;
 - (8) When the water system expects to return to compliance or resolve the occurrence;
 - (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
 - (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail; and

- (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time." ...
- (c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

 (2) For a Tier 2 or Tier 3 public notice:
 - (A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and
 - (B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:
 - 1. Information in the appropriate language(s) regarding the importance of the notice; or
 - 2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and
 - (3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.
- (d) Each public notice given pursuant to this article shall:
 - (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
 - (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
 - (3) Not contain language that minimizes or contradicts the information being given in the public notice.

Appendix 64465-A. Health Effects Language - Microbiological Contaminants.

Contaminant	Health Effects Language
Total Coliform	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
Fecal coliform/E. coli	Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.
Turbidity	Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

Section 64469 (Reporting Requirements) states in relevant part:

(d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Board that it has done so, along with a representative copy of each type of public notice given.

Section 64481 (Content of the Consumer Confidence Report) states in relevant part:

(g) For the year covered by the report, the Consumer Confidence Report shall note any violations of paragraphs (1) through (7) and give related information, including any potential adverse health effects, and the steps the system has taken to correct the violation.

(1) Monitoring and reporting of compliance data.

Section 64583 (Disinfection of Wells) states in relevant part:

A new or repaired well, or a well that has not been in operation for more than three months shall be sampled for bacteriological quality prior to use. If the results of the bacteriological sampling are positive for coliform bacteria, the well shall be disinfected in accordance with the American Water Works Association C654-03, which is hereby incorporated by reference, and resampled for bacteriological quality and the test results shall be submitted to the State Board for review and approval before the well is placed into service.

APPENDIX 2. LEVEL 2 ASSESSMENT – ISSUED JUNE 27, 2018 FOR CITATION NO. 03_19_18C_032





State Water Resources Control Board

Division of Drinking Water

July 6, 2018

Danny Doustan, Owner Lucky 18 on Rosamond, LLC 295 Madison Avenue #977 New York, NY 10017

RE: SANITARY SURVEY & LEVEL 2 ASSESSEMNT OF LUCKY 18 ON ROSAMOND, LLC WATER SYSTEM, SYSTEM NO. 1500571

Dear Mr. Doustan:

On June 18, 2018, Elia Estasy, P.E., Associate Sanitary Engineer with the State Water Resources Control Board (State Water Board), Division of Drinking Water, conducted a sanitary survey of the Lucky 18 on Rosamond, LLC Water System. In addition, the inspection was also conducted to complete an investigation (Level 2 Assessment) of the cause of the June 2018 bacteriological contamination in the distribution system. The investigation is required, per the federal revised Total Coliform Rule (rTCR), to identify a possible cause of the coliform contamination, and any needed corrective actions as discussed in this letter and detailed in the completed form titled "Revised Total Coliform Rule - Level 2 Assessment" (Enclosure 1). Photos taken during the inspection are provided under Enclosure 2.

A) LEVEL 2 ASSESSMENT

The Level 2 Assessment was triggered by a second total coliform technique triggered in June 2018, following the total coliform treatment technique trigger in September 2017. During the month of June 2018, one (1) routine sample, collected on June 6, 2018 from space #2 in the Family Park, tested positive for total coliform bacteria and negative for *E.coli* bacteria. On June 11, 2018, five (5) repeat samples were collected (three (3) samples from the distribution system, one (1) sample from the 50,000-gallon storage tank, and one (1) sample from Well 02). Two out of the five (5) repeat samples (from space #1 and space #4 in the Family Park) tested positive for total coliform bacteria and negative for *E.coli* bacteria. Repeat samples collected from the storage tank and Well 02 tested negative for total coliform bacteria. After providing emergency disinfection and flushing of the distribution system, seven (7) samples were collected on June 18, 2018 (five (5) from the distribution system, one (1) from storage tank, and one (1) from Well 02) and all seven samples tested negative for total coliform bacteria.

The main cause of the bacteriological contamination in June 2018 is believed to be from a broken water main that was repaired without the supervision of the contract certified distribution operator (skOO'kum h2o monitoring, Inc).

Lucky 18 on Rosamond, LLC Water System - 2018 Sanitary Survey July 6, 2018 Page 2

According to California Code of Regulations, Title 22, Section 63770 (b), Distribution System Staff Certification Requirements: (b) Water systems shall utilize only certified distribution operators to make decisions addressing the following operational activities:

- (1) Install, tap, re-line, disinfect, test and connect water mains and appurtenances.
- (2) Shutdown, repair, disinfect and test broken water mains.
- (3) Oversee the flushing, cleaning, and pigging of existing water mains.
- (4) Pull, reset, rehabilitate, disinfect and test domestic water wells.
- (5) Stand-by emergency response duties for after hours distribution system operational emergencies.
- (6) Drain, clean, disinfect, and maintain distribution reservoirs.

Therefore, in the future, the Water System shall ensure that all major repairs are made under the supervision of a certified distribution operator. Proper disinfection, flushing and bacteriological sampling (in accordance with the applicable American Water Works Standard) shall be also conducted after making any repairs to Well 02, storage tank, or water mains.

B) SANITARY SURVEY FINDINGS

Following is a discussion of the major items that need follow-up and corrective actions:

WATER QUALITY MONITORING AND REPORTING

1. A review of State Water Board's database indicates that source monitoring is up-to-date. A Last Sample Date and Monitoring Schedule report is provided in Enclosure 3. Please have your contract laboratory report the future results electronically to the State Water Board, under the Primary Station Code 1500571-002 assigned to Well 02. The following table shows the next monitoring dates for various chemical groups.

Source (IL)	lhourspink Chamiseils	Mirata	स्वितीकाणवीतिक ((जिल्लड्ड स्वित्वी))	Wort,	93(O)(C)
Well 02-West (PS Code 1500571-002)	06/2019	09/2018	06/2019	06/2022	06/2022

- 2. The result of the most recent sample for gross alpha that was collected on June 10, 2016, from Well 02, was 7.55 pCi/L. Therefore, monitoring of gross alpha is required to be conducted every three years for Well 02-West. Next gross alpha and uranium sampling of Well 02-West will be due in June 2019. If any gross alpha sample exceeds 5 pCi/L, uranium testing is also required of that sample. Moreover, the Water System must monitor Well 02-West for radionuclides as follows:
 - If the gross alpha particle activity is less than or equal to 5 pCi/L, analysis for uranium is not required.
 - If the gross alpha particle activity for any single sample is greater than 5 pCi/L, analysis for uranium in that same sample is required. If any single sample for uranium is greater than 20 pCi/L, monitor at least 4 quarters for uranium.
 - If (gross Alpha uranium) is greater than 5 pCi/L, analyze for radium 226 and radium 228. If (Ra-226 + Ra-228) > 5 pCi/L, monitor at least 4 quarters for Ra-226 and Ra-228.
- Water produced by Weil 02 that serves the Water System, does not comply with the arsenic MCL of 0.010 mg/L. On April 25, 2017, the State Water Board issued Compliance Order No. 03-19-

17R-004 (copy of the CO is provided in Enclosure 4) to document the arsenic MCL violation. As discussed in the compliance order, the Water System has an ongoing arsenic MCL violation and is required to provide quarterly public notification to the customers of the Water System. The Water System is also required to find a long-term solution to the arsenic problem. Deadline to achieve compliance with the arsenic MCL was May 29, 2018. Rosamond CSD is already working with the State Water Board on a funding project for a regional consolidation project, which will provide funding for consolidation of several small systems (with ongoing water quality violations) in the area and the Water System is included in that project. Please note that the State Water Board issued a letter dated December 15, 2017 (copy provided in Enclosure 5), to the Water System, about mandatory consolidation with Rosamond CSD. Under Section 116680 of the California Health and Safety Code, the State Water Board has the authority to order consolidation of the Lucky 18 on Rosamond, LLC Water System with the Rosamond CSD. The letter further states that the Water System should complete the negotiation about mandatory consolidation with the Rosamond CSD and report the outcome to the State Water Board, no later than six months from the date of the letter.

Until the Water System achieves compliance with the arsenic MCL, quarterly arsenic monitoring and quarterly public notification must continue. Since the second quarter of 2017, the Water System has failed to provide quarterly public notification, proof of notification, and quarterly progress report. Due to the Water System's failure to comply with the directives of the above-mentioned compliance order, the State Water Board issued Citation No. 03-19_18C_022 on June 5, 2018. The Water System must carefully review all directives of the citation and take actions to comply with the citation directives.

4. On December 14, 2017, the Office of Administrative Law (OAL) approved the primary maximum contaminant level (MCL) for 1,2,3-Trichloropropane (1,2,3-TCP) of 0.000005 mg/L, adopted by the State Water Board on July 18, 2017. In addition, OAL approved the State Water Board's request for an early effective date, making the MCL effective on filing with the Secretary of State on December 14, 2017.

The Water System conducted 1,2,3 TCP monitoring from Well 02 on February 7, 2018 and May 21, 2018, and the results were non-detect. Two more quarters of 1,2,3 TCP monitoring is required to complete the initial monitoring.

- 5. Standard monitoring for VOCs and SOCs is required every three years unless a waiver is granted; then it is required every six years. The Water System submitted a VOC and SOC monitoring waiver application dated May 24, 2018, to the State Board requesting that monitoring for VOCs and SOCs be reduced from once every three years to once every six years, due to the non-detections of the VOCs and the SOCs. The State Water Board has reviewed and approved the Water System's request. Next sample date for VOCs and SOCs is June 2022.
- 6. The Water System is required to conduct lead and copper tap monitoring which consists of 10 lead and copper samples every three years. A copy of the lead and copper data summary is provided in Enclosure 6. Your next lead and copper tap monitoring is due in 2019 and should be conducted between June 1 and September 30, 2019. After conducting the monitoring, the Water System shall report the results and 90th percentile values to the State Water Board along with a completed lead and copper results reporting form (copy of the form is provided in Enclosure 6 along with a guidance document). We also encourage you to work with your laboratory to electronically report the lead and copper results using the Lab to State Portal (LTS).

OPERATION

- 7. There is no production meter on Well 02's discharge line. A production meter must be provided on the well discharge line within 30 days and monthly production data must be reported to the State Water Board in the annual report each year. A production meter is required to be installed on the Well to comply with the California Waterworks Standards. Production data from Well 02 is also needed to determine accurate maximum day demand of the Water System. Failure to install a production meter and failure to record monthly production will result in enforcement action by the State Water Board.
- 8. The Water System should have the 90,000-gallon tank inspected from inside and submit a report (along with pictures) to the State Water Board within 30 days.
- 9. A lot of weeds are growing around Well 02 site, booster pump and other facilities. The weeds should be cleared to keep the sites clean and for easy and safe access. Dying weeds are considered a potential fire hazard.
- 10. It was noticed that the soil is eroded around the base of the pressure tank (see Photo 10) as well as under Well 02 concrete pedestal (see Photo 6). The Water System should fix the eroded areas under Well 02 concrete pedestal and pressure tank base.
- 11. Well 01 is inoperable and no longer an active source of supply. It was noticed during the inspection that Well 01 is still connected to the distribution system. The Water System must physically disconnect it from the distribution system. Afterward, the Water System shall submit a photo documentation of this work to the State Water Board.
- 12. The Water System has a storage tank and a pressure tank that are located at Well 01 site. Both tanks are not in good condition. Therefore, both tanks are considered a potential for contamination. The Water System should evaluate the need of the storage tank and the pressure tank located at Well 01 site. If there is no need for either or both tanks, the Water System should remove them from service and disconnect them from the distribution system.
- 13. Since continuous chlorination is not being provided at the wellhead, therefore the Water System needs to have an Emergency Chlorination Plan (ECP) developed. The ECP would be implemented following bacteriological contamination to help clear the contamination. The ECP needs to be prepared and submitted to the State Water Board for review and approval. An ECP guidance document is provided in Enclosure 7.
- 14. The Water System should develop and submit an emergency response plan (ERP) to the State Water Board. A blank template is enclosed in **Enclosure 8.**
- 15. The Water System should develop a valve maintenance program that include identifying the system valves, exercising them at least every other year, and maintaining records of the program. A blank template for keeping records is provided in **Enclosure 9**.
- 16. The Water System needs to locate, identify and maintain the number of the dead ends in the distribution system; also, records of the dead-end flushing program should be maintained. Each dead-end should be flushed at least annually. A blank template for keeping records is provided in **Enclosure 10**.

- 17. The Water System shall maintain a program for the protection of the Water System against possible backflow in accordance with the Cross-Connection Control Regulations, Title 17 of the California Code of Regulations. A guidance document for developing a cross-connection control program is provided in Enclosure 11. A trained Cross-Connection Control Program Specialist should conduct a physical survey of the Water System within 60 days of this letter and submit a report of findings to the State Water Board within 90 days with a plan and time schedule to implement the recommendations of the report.
- 18. The Water System's current domestic water supply permit No. 03-12-95P-047, was issued on December 19, 1995, by the California Department of Health Services. In 2016, the Water System submitted a domestic water supply permit application to the State Water Board due to the change of ownership. The State Water Board will soon issue a new domestic water supply permit for the Water System.

We appreciate the assistance provided to Mr. Estasy during his review and site visit. Please submit a written response addressing the above issues within 30 days of this letter. If you have any questions regarding this letter, please contact Mr. Estasy at (661) 335-7322.

Sincerely,

Taswinder S. Dhaliwal, P.E. Senior Sanitary Engineer

DRINKING WATER FIELD OPERATIONS BRANCH

Enclosures:

Enclosure 1: Revised Total Coliform Rule - Level 2 Assessment

Enclosure 2: Photos taken on June 18, 2018

Enclosure 3: Last Sample Date and Monitoring Schedule Report

Enclosure 4: Compliance Order No. 03-19-17R-004

Enclosure 5: State Water Board's Letter dated December 15, 2017
Enclosure 6: Lead and Copper Data Summary and Reporting Form
Enclosure 7: Emergency Chlorination Plan Guidance Document

Enclosure 7: Emergency Chlorination Plan Guidance Document Enclosure 8: Emergency Response Plan Guidance Document

Enclosure 9: Valve Exercising Program Template

Enclosure 10: Flushing Plan Template

Enclosure 11: Guidance Document for Developing a Cross-Connection Control Program

cc: Kern County Department of Public Health, Environmental Health Division (w/o enclosures)
Dan Sackett, Designated Operator & Sampler, skOO'kum h2o monitoring, Inc. (via email)

Enclosures

Enclosure 1

Revised Total Coliform Rule - Level 2 Assessment

This form is intended to assist Division of Drinking Water (DDM) or Local Primacy Agency (LPA) Start in completing the



One routine sample taken on June 06, 2018 The operators completed emergency tested positive for total coliforn from Space #2 in chlorinetion on 6/14 and did the needed flushing the Emilia Park. Corrective Action Taken or Planned to be Indian Department of the Control of Heason for Assessment: Second coliform MOL in 12 months (September 2017 and June 2018) Contact into for person who collected samples: 651-751-9109 Taken and Data ocsitive samples. Circle one: CWS/ NTNC/TNC investigation required by the federal revised Total Coliform Rule (rTCR) Jeffective April 1, 2016j. If the answer has a large box the description. The PWS must address each issue described in the Corrective Action column. To avoid a violation, the around it it is an issue and needs to be described by LPA or DDW in the next column. Please include the question number in water system must submit to DDW/LPA a completed assessment report no later than 30 days after the trigger date. Collected five repeat samples on June 11, 2018 and two samples tested total colliform positive. from Space #1 & 4 in the Family Park. The storage tank and Well 02 cld not test positive for total Special samples were collected on June 18, 2018 from aight sites, all alght samples tested negative Broken water main was repaired without the supervision of the contract operator (skOO'kum Date Assessment Completed: June 27, 2018 Phone:661-557-5242 Sauce Description for total coliform bacteria. 120 monthoring, Inc. 1.10 See 1.1 above. ۲. PWS Name: Lucky 18 on Rosamond LLC ¥ 2 X \boxtimes \boxtimes X X X Name of Certified Lab conducting sample enalysis: BC laboratories 5/21/2018 Operator in Responsible Charge (print name):Dan Sacket, D2/T2 X > \boxtimes Ø 図 Person who collected TC positive samples: Anthony Langin Was the sample taken at the routine coliform site? List the 1.19 semples collected, including source samples, which were Has this location undergone any plumbing replacements Date: Have there been any analytical results or any additional Any other sample site issues not previously mentioned? Does the building where the sample was taken have a Did the tap have a point of use treatment device on it? SERICLE SIDE (Including yard hydranis and stock tanks)? Was the tap area unsantary at the time of samping? Are there any possible cross connections around the is this location near a storage tank or dead end? Prior to this incident, when was the most recent Was fins sample taken from an outside faucet? Assessment trigger date: June 11, 2018 SEASONAL: YES ☐ NO ☒ Assessment Elements Wes the sample taken from a swivel tap? name(s) of the positive sample site(s satisfectory coliform samples taken? Beyan of the sample sma positive (not for compliance)? point of entry device? PWS ID#:1500571 or receirs? <u>_</u>

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2 Transport of Barrier Proposers of the Party of the Part		responsible charge? Provide name of sampler.	22 is the sampler a regular, trained sampler?	2.3 Was a laboratory-provided TC sample bottle used?	2.4 Was the aerator ramoved?	2.5 Was the water tap fluxined for at least 5 minutes?	2.6 Was the tap disinfected or flamed?	2.7 Did the sample get too warm prior to being placed on toe?	2.8 Were there other sampler errors? Describe	2.9 If it is a seasonal system, were there any problems during the most recent start-up procedure?	2.10 Any other sample protocol issues not previously mentioned (e.g. vandalism or unauthorized access)?		 Have any mains or service lines recently been repaired, replaced or installed? 	3.2 Have fire hydrants or blow offs been recently fushed/used/steered?	3.3 Have valves been recently exercised to direct flow?	3.4 Any leaks or mein breaks noted?	3.3 Are all of the backflow prevention devices operational and maintained?	3.6 Wes there a total loss of pressure, low pressure (<20 psi) or changes it water pressure? If yes, when?	3.7 Any areas of the distribution with low distributant levels (<0.2 mg/L)?	3.8 Any recent pump station fallures or repairs?	3.9 Air relief valve leaking?	3.10 Standing water or debris in (air relief) valve vauit?	3.11 Any recent power loss?	3.12 Any unprotected cross connections (including yeard hydrants and stock tanks)?	3.13 Has high turbidity been detected in the distribution system?	3.14 is there evidence of intentional contamination or vandalism?	3.15 Any other distribution issue not previously mentioned (e.g. other O&M activities that could have introduced cofforms)?

Page 2 of 7

	4.1 is there a presence of animals or imeasts in the tank(s)? 4.2 Are there breaches or holes of any sort into tank(s)? 4.3 is there any presence of animal droppings around openings, veris or overflows? 4.4 is there sectiment buildup and floating debris in tank(s)? 1.5 Have the tank(s) been cleaned within the last 5 years? If not, list when it was lest cleaned.
	afer age in the tank (infrequent water alean when the tank was at the low repression on tank telemetry/altitude son the tank(s)?
Was there high water age in the tank (infrequent water was at the low was the sample taken when the tank was at the low was the sample taken when the tank was at the low was the sample taken when the tank telemetry/altitude was walves/controls? Any recent repairs on the tank(s)? Was there any power loss? Was there any power loss? Is the site secured (e.g. fancing, tocked getes, etc.)? When the tank vandalized or subject to tempering? Any recent tank is a fancing, tocked getes, etc.)?	Above? Freescure tenks (if septicable) What is the volume of the pressure tank? Attach additional sheets if needed. What is the age of the pressure tank? Attach additional sheets if needed. Does the pressure tank use a blander and/or air Ones the pressure tank (so a blander and/or air Did the pressure tank(s) devices from normal operating pressure? Is the compressor pump running more than normal?

Page 3 of 7

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is the tank bladder water logged?	is the tank damaged, rusty, Jeaking or have holes?	Was there any recent work performed on the tank?	is the air reliaf vent (if there one) screened and acing down?	Can the inside of the pressure tank be visually inspected through an inspection part? If so, when was It last hapected?	Herman (de il) resocció pedases lo valvas	Has the treatment been bypassed altogether at any time or have included in processes been intermented by	power outages or other causes? If yes, provide details on when, which processes and for how long?	Have there been any new treatment processes added or new equipment installed?	Have there been any recent repairs of major unit processes of treatment equipment?	Have there been any changes in the operational	programs used un verking ure maus soon se, changes in chemical dosages, flow changes, or	changes in coagulant chanicals used? If yes, provide detalls of the change and when it cocured.	Has a coegulant been added at all times the plant has been fillering water?	Have there been changes in raw water quality?	Was the settled water turbidity increasing?	Was the Anished water burbidity increasing?	Have Ther choosing algae caused more frequent backwashing?	Have there been any failures in adding disinfectant for any length of time?	Was water delivered that did not meet CT requirements?	What is the entry point chicrine residual today? Free/Total? N/A	Has there been any vandalism or tampering at the plant?	Any other treatment plant issues not previously mentioned above?		egystantapetarioannyi, kuiya Is there a 50 foot annuar seal?
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5.26 Any other source water issues not previously mention above?	Degu pagu		M	and the same of th
with supplier?				
6.28 Low disInfectant residuel from supplier (typically ≤0.2 mg(1)?				. •
6.29 Any other purchased water issues not previously mentioned above?				
6.30 Has an unapproved source been used?		X		
6.31 Has there been a change in sources?		Ø		
6.32 Has there been recent rapid snowmett, heavy rainfell flooding?	<u>5</u>	×		
8.33 Any evidence of animals near the source?		×		
6.34 Have there been dranges in exellable source water (e.g. slorificant doe in water table, reservoir canadry)	<u></u>	Ø		
6.35 is the source water sample for ground water systems	ш			
coll positive? This may indicate that the positive sample is originating from the source and may be a		Ø		
6.36 Any other source issues not previously mentioned		Į.		
		XI.		A CALLED AND A CAL
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7.1 Mility or soon after backeriological quality problems, old you receive any complaints of any or privates.	 	Σ	Ē	
Illness suspected of being waterborne? How many?]_	3		•
7.2 What were the symptoms of Ithess if you received completitis about customers being sick? N/A.		ı		
7.3 Wes there any extreme weather/natural events (e.g.	X			
	-			
8.1 Are there any unaddressed significant deficiencies? This may indicate that the problem is known and is in		Ľ	8.1 Any significant deficiencies will be addressed in a samilary survey letter that will be sent to the Water	83 hr
the process of being remediad, include approved corrective action date and status of each connective	<u></u>	XI.	System along with this form.	•
action.			AME 2004	

1. Attach additional sheets if needed.

Additional Comments:					
·				·	
Name of SWRCB-Division of Drinking Water or LPA representative completing the form (PRINTED); Elia Estasy, P.E. Signature: 7 fin. 65 fa.s. 4	entative comple	eting the to	mm (PRINTED); Elia Estasy, P.E. Data: 6/27/2018		
Water ayatem respiktsible partyff-RINTED); Short Social Signature:	इट्संटर		Date: 6/28/18		
Reserved for Remissory Aseney (DSW / L.P.A.) Review					
	Yes.	<u>.</u>		Comments	
1. Has assessment been successfully completed?					
2. Likely resson for EC+ occurrence has been found.		N/A			
3. System has corrected the problem.					
4. Were all issues identified corrected?					
4. Corrective Action Approved?					1

APPENDIX 3 – NOTIFICATION OF RECEIPT

Citation Number: No. 03_19_18C_032

Name of Water System: Lucky 18 on Rosamond, LLC

System Number: 1500571

Certification

I cert	ify that I am an authorized representative of the Lucky 18	B on Rosamond, LLC Water System and tha
Citati	on No. 03_19_18C_032 was received on	Further I certify that the Citation has
been	reviewed by the appropriate management staff of the Lucky	v 18 on Rosamond, LLC Water System and it is
clear	y understood that Citation No. 03_19_18C_032 contains le	egally enforceable directives with specific due
dates		
	Signature of Water System Representative	Date

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN SEPTEMBER 28, 2018.

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.